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PTO/SB/64 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

TNCR.001US4

First named inventor: Mehrdad Nikoonahad

Application No.: 10/666,120

Art Unit: 2877

Filed: September 19, 2003

Examiner: Rosenberger, Richard A.

Title: Scanning System For Inspecting Anomalies On Surfaces

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Response to Notice of Abandonment/Petition for Ext. of Time (identify type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

01/10/2005 MAHME1 00000096 10666120

B. The issue fee and publication fee (if applicable) of \$ 01 FC:1453.

1500.00 OP

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

 Signature JAN. 5, 2005 Date
James S. Hsue Typed or printed name 29,545 Registration Number, if applicable
Parsons Hsue & de Runtz LLP Address 415-318-1160 Telephone Number
655 Montgomery Street, Suite 1800, San Francisco, CA 94111 Address

- Enclosures: ☒ Fee Payment
☒ Reply
☐ Terminal Disclaimer Form
☐ Additional sheets containing statements establishing unintentional delay
☐ Other: _____

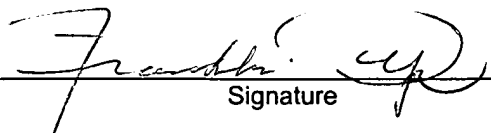
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

1-5-05
Date

 Signature
Franklin Dyer Typed or printed name of person signing certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Mehrdad Nikoonahad et al.
Title: Scanning System For Inspecting Anomalies On Surfaces
Application No.: 10/666,120 Filing Date: September 19, 2003
Examiner: Rosenberger, Richard A. Group Art Unit: 2877
Docket No.: TNCR.001US4 Conf. No.: 8430

Mail Stop Petition
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF ABANDONMENT

Dear Sir:

This responds to the Notice of Abandonment mailed on December 9, 2004. In accordance with 37 C.F.R. § 1.137(b), Applicant respectfully petitions to revive the above-referenced patent application.

The U.S. Patent & Trademark Office mailed an Action in this application on March 22, 2004, and the latest due date for filing a reply to this Action without an extension of time was June 22, 2004. A continuation application Serial No. 10/948,814 to the above-identified application was filed on September 22, 2004. A three month time extension to filing a response to the Action for the above-identified application, however, was inadvertently omitted, so that above-identified application became abandoned before the continuation application Serial No. 10/948,814 was filed. This omission is unintentional, and the entire delay from the due date of June 22, 2004 until today's date is unintentional.

A Petition for Extension of Time of three months and the required fee of \$1,020.00 are enclosed herewith to extend the response period to expire on September 22, 2004. The required fee in the amount of \$1,500.00 is enclosed as prescribed by 37 C.F.R. §§ 1.17(m) and 1.137(b), as indicated in the accompanying transmittal letter.

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 5, 2005.


Franklin Dyer

Respectfully submitted,


James S. Hsue

Reg. No. 29,545

1/5/05
Date